

October 27, 2006

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

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REPORT AND DECISION REVISED AS TO PROCEDURAL FORMAT

SUBJECT: Department of Development and Environmental Services File No. **L04P0028**
Proposed Ordinance No. **2006-0455**

MAPLE RIDGE

Preliminary Plat Application

Location: 6621 South 128th Street, at the southeast corner of the South 128th
Street and 66th Avenue South intersection

Applicant: **William E. Ruth**
19400 – 108th Avenue Southeast, Suite 200
Renton, Washington 98055
Telephone: (253) 852-4682

King County: Department of Development and Environmental Services,
represented by **Trishah Bull**
900 Oakesdale Avenue Southwest
Renton, Washington 98055
Telephone: (206) 296-6758
Facsimile: (206) 296-7051

SUMMARY OF RECOMMENDATIONS/DECISION:

Department's Preliminary Recommendation:

Approve, subject to conditions

Department's Final Recommendation:

Approve, subject to conditions

Examiner's Decision:

Approve, subject to conditions (modified)

ISSUES & TOPICS ADDRESSED:

Surface water drainage
Sensitive areas

Safe walking conditions

SUMMARY:

The proposed subdivision of 24 lots on 6.88 acres in the urban area is approved subject to conditions.

EXAMINER PROCEEDINGS:

Hearing Opened: October 19, 2006
Hearing Closed: October 19, 2006

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

FINDINGS, CONCLUSIONS & DECISION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:**1. General Information:**

Owner/Developer: William E. Ruth
19400 108th Avenue SE #200
Renton, WA 98055
253-852-4682

Engineer: Touma Engineers
6632 South 191st Place, Suite E-102
Kent, WA 98032
425-251-0665

STR: NE 14-23-4

Location: The site is located at 6621 128th Street, at the southeast corner of the South 128th Street and 66th Avenue south intersection.

Zoning: R-8-P
Acreage: 6.88 acres
Number of Lots: 24
Density: 3.49 units per acre
Lot Size: Ranges from approximately 3,200 to 10,000 square feet
Proposed Use: Single-family detached dwellings
Sewage Disposal: Skyway Water & Sewer District
Water Supply: King County Water District #125
Fire District: King County District #20
School District: Renton School District #403

Complete Application Date: December 22, 2004

2. Except as modified herein, the facts set forth in the King County Land Use Services Division's preliminary report to the King County Hearing Examiner for the October 19, 2006, public hearing are found to be correct and are incorporated herein by this reference. The said report is exhibit no. 2 in the hearing record.
3. The proposed development is governed by the 2004 King County Comprehensive Plan and is subject to P-Suffix conditions applicable in the Highland Community plan area. This property, which is within the designated urban area of King County, is required by the State Growth Management Act to be developed at urban densities. The R-8-P zone classification applied to the property by King County is an urban density. Constraints on the development of the subject property, particularly the large wetland area, result in a base density of 23.92 dwelling units for the subject property, and a minimum required density of 20 dwelling units. The maximum number of dwelling units permitted on the site would be 36.

The reduction of flora and fauna is a natural consequence of development at urban densities. Although vegetation within sensitive areas on the site cannot be removed or damaged except as specifically approved by DDES (and mitigated by the developer), the removal of vegetation elsewhere on the property is not subject to regulation by King County pursuant to existing codes and regulations.

4. Surface water runoff from this property enters a downstream system which has existing capacity problems. The known problems include the backup of surface water onto 65th Avenue South, impacting at least one residence at 12830 – 65th Avenue South. This problem will be addressed in the development of the subject property by the application of "level 3" drainage controls. The size of the stormwater detention system to be constructed as part of the development will detain flows of stormwater with a volume larger than the additional stormwater to be generated by this development, and will discharge the stormwater at a reduced rate, so that the effect of the development will be to slow the discharge of stormwater to the two year release rate.
5. The only safe, feasible access to the south portion of the subject property is by extension of 66th Avenue South to the east through the property. A 30-foot wide right-of-way west from 66th Avenue South to Langston Road intersects Langston Road at an unsafe location, and, in any event, cannot be developed with a subaccess road consistent with King County Road Standards. That right-of-way will be developed with a pedestrian walkway between the subject property and Langston Road. The King County Road Services Division, on August 16, 2004, granted a variance from County Road Standards to allow construction of this 1,125 foot long cul de sac, with the condition that an intermediate length emergency turn around bulb be constructed at the start of the road extension.

The new walkway to Langston Road, and sidewalks that already exist north to Campbell Hill Elementary School, provide safe walking conditions for children walking from the proposed development to the elementary school.

The required improvement of 66th Avenue South and South 128th Street will provide safe walking conditions to the high school bus stop at South 127th Place and South 128th Street, and for students walking east to Dimmitt Middle School.

Development of the walkway between 66th Avenue South and Langston Road can include low fencing or other means to reduce the likelihood of trespass onto adjacent properties, without obscuring views of the walkway from adjacent homes and streets.

6. There are adjacent and nearby properties which are currently served by on-site septic systems for the treatment of domestic sewage. These properties will ultimately need to be served by public sewer for the protection of public health in the urban area. To the extent that it is reasonable to do so, the creation of a sewer easement to the east boundary of the subject property might be useful to facilitate the provision of future sewer extensions in the area. However, any need for such an easement is not an impact of this development. The Applicant can voluntarily determine, in consultation with the Skyway Sewer District, if such an easement is necessary for the implementation of future plans to serve the area. In the event that such an easement is necessary, the Applicant can determine if reasonable compensation or credit is available for such an easement, and could agree to incorporate the easement into the plat design.
7. The generation of traffic by the proposed development creates impacts to the vicinity that are mitigated by the King County Traffic Mitigation Payment system fee to be paid by the Applicant or its successor. The proposal has demonstrated consistency with applicable King County regulations governing impacts on affected streets and intersections. Although the additional traffic generated will be noticeable to nearby residents, particularly on 66th Avenue South and 127th Place, that additional traffic is consistent with levels that are acceptable in the urban area pursuant to King County ordinances.
8. There was un rebutted testimony concerning the existence of an intermittent stream along the west property line, in the vicinity of lots 24-26 of the plat of South Seattle Garden. The possibility of such a stream was not directly addressed by the sensitive area reports, which focused on the on-site and adjacent wetland. It is possible that, if such a stream exists, it would affect buffer requirements, and impacts to the stream would require mitigation.
9. Concern was expressed that rodents may be released to the area from the proposed destruction of an old barn on the property. That concern can be communicated by the developer and by neighbors to the King County Department of Health, for advice and assistance in reducing the impact of rodents on the property and surrounding area.
10. The determination of non-significance for the subject property, issued on September 29, 2006, found that the proposal does not pose a probable significant adverse impact to the environment. That finding takes into consideration, among other things, the mitigation measures which King County or the Applicant will implement as part of the proposal. The determination of non-significance was subject to appeal through October 16, 2006. There was no appeal of that determination.

CONCLUSIONS:

1. If approved subject to the conditions recommended below, the proposed subdivision will comply with the goals and objectives of the King County Comprehensive Plan, subdivision and zoning codes and other official land use controls and policies of King County.

2. If approved subject to the conditions recommended below, this proposed subdivision will make appropriate provision for the public health, safety and general welfare and for open spaces, surface water drainage, streets and other public ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools, and school grounds and safe walking conditions for students who only walk to school; and it will serve the public use and interest.
3. The conditions for final plat approval set forth below are in the public interest and are reasonable requirements to mitigate the impacts of the development upon the environment.
4. The dedications of land and easements within and adjacent to the proposed plat as required for final plat approval or as shown on the proposed preliminary plat submitted by the Applicant (as revised and received June 19, 2006), are reasonable and necessary as a direct result of the development of this proposed plat, and are proportionate to the impacts of the development.
5. The final plat and engineering plans must provide for the dedication and construction details for an intermediate emergency turn-around bulb consistent with the requirements of the August 16, 2004 Road Standards Variance.
6. Construction of the pedestrian walkway between Langston Road and 66th Avenue South should provide for reasonable barriers to discourage trespass upon adjacent properties, consistent with an open design that provides full visibility of the walkway from adjacent streets and homes.
7. Although the developer cannot be required to provide an easement for sewage service to the east boundary of the subdivision, unless necessary to serve this development, provision of such an easement would be in the public interest and, if agreed to by the developer, can be shown on the final engineering plans and plat.
8. Prior to demolition of the barn on the subject property, the developer should contact the King County Department of Public Health to determine if any precautions are necessary to reduce the likelihood of dispersal of rodents in the vicinity.
9. Prior to the submission of engineering plans, the Applicant should cause a qualified sensitive areas specialist to examine the area in the vicinity of 66th Avenue South to determine if a stream exists that requires protection under the Sensitive Areas Ordinance applicable to this proposal.

DECISION:

The preliminary plat of Maple Ridge, as revised and received June 19, 2006, is approved, subject to the following conditions of final plat approval:

1. Compliance with all platting provisions of Title 19 of the King County Code.
2. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication which includes the language set forth in King County Council Motion No. 5952.
3. The plat shall comply with the density requirements of the R-8-P zone classification. All lots shall meet the minimum dimensional requirements of the R-8-P zone classification or shall be as

shown on the face of the approved preliminary plat, whichever is larger, except that minor revisions to the plat which do not result in substantial changes may be approved at the discretion of the Department of Development and Environmental Services.

4. All construction and upgrading of public and private roads shall be done in accordance with the King County Road Standards established and adopted by Ordinance No. 11187, as amended (1993 KCRS).
5. The applicant must obtain the approval of the King County Fire Protection Engineer for the adequacy of the fire hydrant, water main, and fire flow standards of Chapter 17.08 of the King County Code.
6. Final plat approval shall require full compliance with the drainage provisions set forth in King County Code 9.04. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. Preliminary review has identified the following conditions of approval which represent portions of the drainage requirements. All other applicable requirements in KCC 9.04 and the Surface Water Design Manual (SWDM) must also be satisfied during engineering and final review.
 - a. Drainage plans and analysis shall comply with the 1998 King County Surface Water Design Manual and applicable updates adopted by King County. DDES approval of the drainage and roadway plans is required prior to any construction.
 - b. Current standard plan notes and ESC notes, as established by DDES Engineering Review, shall be shown on the engineering plans.
 - c. The following note shall be shown on the final recorded plat:

All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet as shown on the approved construction drawings # _____ on file with DDES and/or the King County Department of Transportation. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building inspection approval. For those lots that are designated for individual lot infiltration systems, the systems shall be constructed at the time of the building permit and shall comply with plans on file."
 - d. The stormwater facilities for this site shall be designed to meet at a minimum the Level 3 Flow Control and Basic Water Quality requirements in the 1998 King County Surface Water Design Manual (KCSWDM).
7. The 100-year floodplain for the onsite wetland shall be shown on the engineering plans and the final plat per Special Requirement 2 of the KCSWDM. In addition, compensatory storage shall be added to the wetland area for any reduction to the 100-year storage. Details of any required compensatory storage shall be included in the Wetland Mitigation Plan. These details shall also be shown on the engineering plans.
8. The proposed subdivision shall comply with the 1993 King County Road Standards (KCRS) including the following requirements:

- a. South 128th Street from 66th Avenue South to the Cedar River Pipeline R/W shall be improved to the urban subcollector standard. The design shall require compliance with Section 4.01(f) of the KCRS; asphalt overlay when widening. The subgrade of the existing SE 128th Street shall be evaluated and repaired where needed, prior to placement of the overlay.
- b. FRONTAGE: The frontage along 66th Avenue South shall be improved at a minimum to the urban subaccess street standard. The design shall require compliance with Section 4.01(f) of the KCRS; asphalt overlay when widening. The existing 66th Avenue South pavement and subgrade show signs of failure and shall be evaluated with the submittal of the engineering plans. The subgrade of the existing road shall be reconstructed prior to placement of the overlay.

The internal access road (extension of 66th Avenue South) shall also be improved at a minimum to the full width urban subaccess street standard.

- c. The proposed private access tract and joint use driveway shall comply with Sections 2.09 and 3.01 of the KCRS. These tracts shall be owned and maintained by the lot owners served. Notes to this effect shall be showed on the engineering plans and the final plat.
 - d. Modifications to the above road conditions may be considered according to the variance provisions in Section 1.08 of the KCRS.
 - e. A road variance (L04V0046) is approved for this site. All conditions of approval for this variance shall be met prior to engineering plan approval. This includes the construction of an intermediate length emergency turn-around bulb.
 - f. SCHOOL WALKWAY: Improve the walkway between 66th Avenue South and South Langston Road through the unimproved right-of-way near proposed Lot 1, and intersecting South Langston Road about 150 feet south of the Langston Road/65th Avenue South intersection. Improvements shall consist of a minimum 5-foot wide, asphalt-paved walkway, designed to reduce the likelihood of trespass onto adjacent lots, but without restricting vision of the walkway from adjacent streets and homes.
9. All utilities within proposed rights-of-way must be included within a franchise approved by the King County Council prior to final plat recording.
 10. The applicant or subsequent owner shall comply with King County Code 14.75, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. The applicant has the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that reads, "All fees required by King County Code 14.75, Mitigation Payment System (MPS), have been paid." If the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.
 11. (This paragraph is deleted.)

12. The planter islands (if any) within the cul-de-sacs shall be maintained by the abutting lot owners or homeowners association. This shall be stated on the face of the final plat.
13. The proposed subdivision shall comply with the Sensitive Areas Code as outlined in KCC 21A.24. Permanent survey marking and signs as specified in KCC 21A.24.160 shall also be addressed prior to final plat approval. Temporary marking of sensitive areas and their buffers (e.g., with bright orange construction fencing) shall be placed on the site and shall remain in place until all construction activities are completed.
14. Preliminary plat review has identified the following specific requirements which apply to this project. All other applicable requirements from KCC 21A.24 shall also be addressed by the applicant.

Streams

The Applicant shall provide a statement by an appropriate sensitive areas specialist as to whether a regulated stream exists on or adjacent to the property in the vicinity of 66th Avenue South. If such a stream exists, protection and mitigation consistent with the requirements of the Sensitive Areas Ordinance shall be included in the plat design and engineering drawings.

Wetlands

- a. The Class 2 wetland shall have a 50-foot buffer from the wetland edge.
- b. Buffer averaging may be permitted if the buffer averaging criteria can be met per KCC 21A.24.320B. In no area shall the buffer be reduced to less than 65 percent on the required maximum.
- c. All sensitive areas and their buffers shall be placed in Sensitive Area Tracts for long term protection.
- d. A fence, split-rail or similar, and signage shall be installed along the Sensitive Area Tract boundary for long term protection and to clearly mark the extent of the tract.
- e. A 15-foot building set back line (BSBL) is required from the edge of all Sensitive Area Tract and shall be shown on all affected lots. Structures such as detention vaults and building foundations are not permitted within the BSBL.
- f. Impacts to sensitive areas and/or their buffers for construction activities such as road construction or road frontage improvements shall require mitigation. A final mitigation plan shall be required during engineering review prior to engineering approval.
- g. Any in stream work such as a culvert replacement or extension may require an HPA from the Department of Fish and Wildlife. It is the applicant's responsibility to obtain an HPA if needed.

- h. Sensitive area tracts shall be marked with bright orange construction fencing during site construction activities. The fencing shall remain in place until on-site construction activities are complete.
- i. The engineering plans shall be routed to Critical Areas Staff for review of compliance to the above conditions.
- j. The following note shall be shown on the final engineering plan and recorded plat:

**RESTRICTIONS FOR SENSITIVE AREA TRACTS AND SENSITIVE
AREAS AND BUFFERS**

Dedication of a sensitive area tract/sensitive area and buffer conveys to the public a beneficial interest in the land within the tract/sensitive area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The sensitive area tract/sensitive area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/sensitive area and buffer the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the tract/sensitive area and buffer. The vegetation within the tract/sensitive area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the King County Department of Development and Environmental Services or its successor agency, unless otherwise provided by law.

The common boundary between the tract/sensitive area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of King County prior to any clearing, grading, building construction or other development activity on a lot subject to the sensitive area tract/sensitive area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the sensitive area are completed.

No building foundations are allowed beyond the required 15-foot building setback line, unless otherwise provided by law.

- 15. Suitable recreation space shall be provided consistent with the requirements of KCC 21A.14.180 and KCC 21A.14.190 (i.e., sport court[s], children's play equipment, picnic table[s], benches, etc.).
 - a. A detailed recreation space plan (i.e. area calculations, dimensions, landscape specifications, equipment specifications, etc.) shall be submitted for review and approval by DDES and King County Parks prior to or concurrent with the submittal of the engineering plan. This plan must not conflict with the Significant Tree Inventory & Mitigation Plan.
 - b. A performance bond for recreation space improvements shall be posted prior to recording of the plat.

16. A homeowners' association or other workable organization shall be established to the satisfaction of DDES which provides for the ownership and continued maintenance of the recreation, open space and/or sensitive area tract(s).
17. Street trees shall be provided as follows (per KCRS 5.03 and KCC 21A.16.050):
 - a. Trees shall be planted at a rate of one tree for every 40 feet of frontage along all roads. Spacing may be modified to accommodate sight distance requirements for driveways and intersections.
 - b. Trees shall be located within the street right-of-way and planted in accordance with Drawing No. 5-009 of the 1993 King County Road Standards, unless King County Department of Transportation determines that trees should not be located in the street right-of-way.
 - c. If King County determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20 feet from the street right-of-way line.
 - d. The trees shall be owned and maintained by the abutting lot owners *or* the homeowners association or other workable organization unless the County has adopted a maintenance program. Ownership and maintenance shall be noted on the face of the final recorded plat.
 - e. The species of trees shall be approved by DDES if located within the right-of-way, and shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers, or that is not compatible with overhead utility lines.
 - f. The applicant shall submit a street tree plan and bond quantity sheet for review and approval by DDES prior to engineering plan approval.
 - g. The applicant shall contact Metro Service Planning at 684-1622 to determine if South 128th Street is on a bus route. If South 128th Street is a bus route, the street tree plan shall also be reviewed by Metro.
 - h. The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted or the performance bond replaced with a maintenance bond, and held for one year. After one year, the maintenance bond may be released after DDES has completed a second inspection and determined that the trees have been kept healthy and thriving.
 - i. A landscape inspection fee shall also be submitted prior to plat recording. The inspection fee is subject to change based on the current County fees.
18. In order to implement Development Condition WH-P4, the following shall apply:
 - a. All waste receptacles and utility pads shall be screened from view.

- b. The site plan shall facilitate homeowner access to transit.
 - c. Transit and ridesharing information and a free one-month, one or two zone transit pass shall be provided to all new homeowners at the time of occupancy.
19. Prior to demolition of the barn on the property, the developer shall communicate with the King County Department of Public Health to obtain advice on methods to reduce the likelihood, if any, of dispersing rodents on the property and to the surrounding area. Reasonable methods recommended by the Department shall be implemented.

ORDERED this 27th day of October, 2006.

James N. O'Connor, *pro tem*
King County Hearing Examiner

REVISED DECISION TRANSMITTED this 30th day of October, 2006, to the following parties and interested persons of record:

Glen Carroll
6455 S 127th Pl.
Seattle WA 98178-3634

Jeff Dixon
6804 S. Langston Rd.
Seattle WA 98178-5014

Mark Fitzgerald
Fire District #20
12424 - 76th Ave. S.
Seattle WA 98178-4810

Lowell Gentry
12830 65th Ave. S.
Seattle WA 98178

Charles Jackson
Vista D/C Corp.
1800 - 136th Pl. NE, #100
Bellevue WA 98006

Angie Lorbeski
6444 S 127th Pl.
Seattle WA 98178

Jeff Miller
5254 - 39th Ave. S
Seattle WA 98118

Gwen Mills
6809 S. 128th St.
Seattle WA 98178

Bill Ruth
Ruth-Prouty
19400 - 108th Ave. SE, #200
Renton WA 98055

Seattle KC Health Dept.
E. Dist. Environ. Health
14350 SE Eastgate Way
Bellevue WA 98007

Terry & Theresa Sullivan
6604 S. Langston Rd.
Seattle WA 98178

Touma Eng, & Surveyors
Attn: Mounir Touma
6632 - 199th Pl., #E-102
Kent WA 98032

E. Jean Tucker
6521 S. 131st St.
Seattle WA 98178

Dan D. Vu
22223 SE 20th St.
Sammamish WA 98075

Trishah Bull
DDES/LUSD
MS OAK-DE-0100

Kim Claussen
DDES/LUSD
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Lisa Dinsmore
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MS OAK-DE-0100

Nick Gillen
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Kristen Langley
DDES/LUSD
MS OAK-DE-0100

Carol Rogers
LUSD/CPLN
MS OAK-DE-0100

Steve Townsend
DDES/LUSD
MS OAK-DE-0100

Larry West
DDES/LUSD
MS OAK-DE-0100

Kelly Whiting
KC DOT, Rd. Svcs. Div.
MS KSC-TR-0231

Bruce Whittaker
DDES/LUSD
MS OAK-DE-0100

REVISED
NOTICE OF RIGHT TO APPEAL

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$250.00 (check payable to King County Office of Finance) ***on or before November 13, 2006***. If a notice of appeal is filed, the original and six (6) copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council ***on or before November 20, 2006***. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Courthouse, 516 3rd Avenue, Seattle, Washington 98104, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within fourteen (14) calendar days of the date of this report, or if a written appeal statement and argument are not filed within twenty-one (21) calendar days of the date of this report, the decision of the hearing examiner contained herein shall be the final decision of King County without the need for further action by the Council.

MINUTES OF THE OCTOBER 19, 2006, PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. L04P0028.

James N. O'Connor was the Hearing Examiner in this matter. Participating in the hearing were Trishah Bull, Bruce Whittaker and Kristen Langley representing the Department; Tom Touma representing the Applicant; and Glen Carroll, Angelo Josue and Jeff Dixon.

The following Exhibits were offered and entered into the record:

- | | |
|---------------|---|
| Exhibit No. 1 | Department of Development and Environmental Services file no. L04P0028 |
| Exhibit No. 2 | Department of Development and Environmental Services Preliminary Report, dated October 19, 2006 |
| Exhibit No. 3 | Application for Land Use Permits received December 22, 2004 |
| Exhibit No. 4 | SEPA Environmental checklist received December 22, 2004 |
| Exhibit No. 5 | SEPA Determination of Non-significance issued September 29, 2006 |

- Exhibit No. 6 Affidavit of Posting indicating a posting date of February 4, 2005; received by DDES on February 9, 2005
- Exhibit No. 7 Preliminary plat map received June 19, 2006 (revised)
- Exhibit No. 8 Level 1 Downstream Drainage Analysis by Touma Engineers, received November 7, 2005 (revised)
- Exhibit No. 9 Conceptual Grading & Utilities Plan received June 19, 2006 (revised)
- Exhibit No. 10 Wetland Mitigation Plan received June 19, 2006 (revised)
- Exhibit No. 11 Level III Storm Drainage Plan by Touma Engineers, received March 16, 2006 (revised)
- Exhibit No. 12 Critical Areas Assessment and Delineation by Chad Armour, LLC, received July 11, 2005
- Exhibit No. 13 Approved KCRS Variance L04V0046 dated August 16, 2004
- Exhibit No. 14 Traffic Impact Analysis by Transportation Planning & Engineering, Inc., received December 22, 2004
- Exhibit No. 15 Letter of concern/supplemental information from Lowell and Mathilde Gentry dated September 26, 2005
- Exhibit No. 16 Letter of concern (via email) from Patty Bernhardt dated October 18, 2006

JNO/PTD:gao/ms
L04P0028 RPT2